

AMENDMENT UNDER 37 C.F.R. § 1.111

U. S. Appln. No. 10/606,966

Attorney Docket No. Q76312

REMARKS

In the Office Action, claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. Claims 1-6 and 9-16 are rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Baumard et al (US 5,508,242) and Maloney (US 6,231,991). Further, claims 1-6 and 9-16 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Kamisawa et al (US 6,245,451). Claims 7 and 8 are objected to as being dependant upon a rejected base claim, but are indicated to be allowable if rewritten in independent form.

1. Response to rejection under 35 U.S.C. 112:

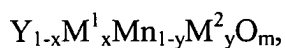
Claim 1 is amended by excluding the element Y in the original M1 group, and adding the elements Ti, La, Ce, and Cr into the M2 group. Support for amended claim 1 is found, for example, at page 4, line 20 to page 5, line 9 of the present application. No new matter is introduced. Reconsideration of claims 1-4 is politely requested.

2. Response to rejection under 35 U.S.C. 102(b):

Claim 1 is amended by particularly pointing out the features of the present invention. As noted, support for amended claim 1 may be found at page 4, line 20 to page 5, line 9 of the present application. No new matter is introduced.

To show the major differences between the present invention and the art, and the non-obviousness of the present invention, amended claim 1 is repeated below:

“1. A dielectric material composition, comprising a metal oxide having a formula of:



wherein

M¹ is Ho, Er, Yb, Tm, or Lu;

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M^2 is Ti, Zr, V, Mo, Mg, Cu, Ti, La, Ce, Cr, or Zn;

x is a number of 0 to 1;

y is a number greater than 0 and less than 1; and

m satisfies the principle of electrical neutrality for the metal oxide.”

As recited in amended claim 1 the present invention relates to a dielectric material composition comprising a metal oxide having a formula of $Y_{1-x}M^1_xMn_{1-y}M^2_yO_m$, wherein **y is a number greater than 0 and less than 1**. Thus, the dielectric material composition at least comprises Mn and M^2 . In other words, **materials having the formula of $Y_{1-x}M^1_xMnO_m$ or $Y_{1-x}M^1_xM^2_yO_m$ are excluded.**

Regarding the references cited by the Examiner, only materials having the formulas of $Y_2Ti_2O_7$, $A_2B_2O_7$ where B may be Ti or Zr, or $ReMnO_3$ where Re is selected from Y, Er, Ho, Tm, Yb, and Lu, are disclosed. **Since y in the amended claim 1 is unequal to 0 and 1**, it is apparent that the materials having the formulas of $Y_2Ti_2O_7$, $A_2B_2O_7$, and $ReMnO_3$ are excluded from the dielectric material composition of the present invention.

Accordingly, Applicants respectfully submit that the cited references, either alone or in combination, fail to disclose or render obvious the present invention as set forth in amended claim 1. It is Applicants' belief that amended claim 1 is allowable over the cited references. Insofar as claims 2-6 and 9-16 depend from amended claim 1, it is Applicants' belief that claims 2-6 and 9-16 are also allowable.

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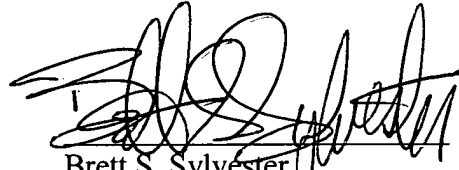
3. Response to objection to claims 7 and 8:

Claims 7 and 8 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. No new matter is introduced. Reconsideration of amended claims 7 and 8 is politely requested.

4. Conclusion

Allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brett S. Sylvester", is written over a horizontal line.

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